

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 32-CA-309010	Date Filed 12-15-2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Tesla, Inc.	b. Tel. No. 650-681-5000
	c. Cell No.
	f. Fax. No.
d. Address (Street, city, state, and ZIP code) 3500 Deer Creek Rd. Palo Alto, CA 94304	e. Employer Representative Dinna Eskin, General Counsel
	g. e-mail
	h. Number of workers employed 99,000 globally
i. Type of Establishment (factory, mine, wholesaler, etc.) Office	j. Identify principal product or service Electric cars
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  In the past six months the employer has retaliated against its employees for engaging in the protected concerted activity of discussing their working conditions including but not limited to Tesla's failure to enforce its non-harassment policy and its implementation of its post-COVID return to office policy. Specifically, relying upon its facially overbroad non-solicitation policy and applying its policies in a disparate matter, Tesla terminated two employees' employment in retaliation for their concerted protected activities and to prevent other workers from speaking up regarding their workplace rights. Tesla terminated Employee B on (b) (6), (b) (7)(C) 2022 citing false and unsubstantiated performance reasons and (b) (6), (b) (7)(C) Employee B (b) (6), (b) (7)(C). (Employee B is filing anonymously through (b) (6), (b) (7)(C) attorneys to protect (b) (6), (b) (7)(C) from public harassment/doxing.)	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Anne B. Shaver	
4a. Address (Street and number, city, state, and ZIP code)  Anne B. Shaver Lief Cabraser Heimann & Bernstein LLP 275 Battery Street, 29th Floor San Francisco, CA 94000  Laurie Burgess Burgess Law Offices P.C. 498 Utah St., San Francisco, CA 94110	4b. Tel. No. 415-956-1000
	4c. Cell No.
	4d. Fax No. 415-956-1008
	4e. e-mail ashaver@lchb.com
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION  I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.   (signature of representative or person making charge)  Anne B. Shaver (Print/type name and title or office, if any)  Address 275 Battery St., 29th Floor, San Francisco, CA 94111 Date December 15, 2022	
Tel. No. 415-956-1000	
Office, if any, Cell No.	
Fax No. 415-956-1008	
e-mail ashaver@lchb.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT  
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 32  
1301 Clay St Ste 300N  
Oakland, CA 94612-5224

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (510)637-3300  
Fax: (510)637-3315

December 27, 2022

MICHAEL T. MORTENSEN, ESQ.  
MORGAN LEWIS & BOCKIUS LLP  
1717 MAIN STREET, SUITE 3200  
DALLAS, TX 75201

DAVID R. BRODERDORF, ESQ.  
MORGAN, LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20004-2541

**Re: Tesla, Inc.  
Case 32-CA-308997  
Tesla, Inc.  
Case 32-CA-309003  
Tesla, Inc.  
Case 32-CA-309010  
Tesla, Inc.  
Case 32-CA-309016**

Dear Mr. Mortensen, Mr. Broderdorf:

This is to advise you that I have approved the withdrawal of the charges in the above cases.

Very truly yours,

A handwritten signature in blue ink, appearing to read "DC Parker", with a long horizontal flourish extending to the right.

D. Criss Parker  
Acting Regional Attorney

cc: ELON MUSK  
TESLA, INC.  
1214 WILLISTON ROAD  
SOUTH BURLINGTON, VT 05403

ANNE B. SHAVER, ATTORNEY  
LIEFF CABRASER HEIMANN & BERNSTEIN LLP  
275 BATTERY STREET, 29TH FLOOR  
SAN FRANCISCO, CA 94111

LAURIE M. BURGESS, ATTORNEY  
BURGESS LAW OFFICES PC  
498 UTAH STREET  
SAN FRANCISCO, CA 94110

DINNA ESKIN, GENERAL COUNSEL  
TESLA, INC.  
3500 DEER CREEK RD.  
PALO ALTO, CA 94304